

ITEM 7.4A: CORRESPONDENCE, COMPLAINTS, AND FOISA REPORT

Purpose

1. To:

- provide members with a report on the Council’s performance in terms of its statutory obligations under the [Freedom of Information \(Scotland\) Act 2002](#) (FOISA) and the [Scottish Public Services Ombudsman \(SPSO\) Act 2002](#) (SPSO); and
- provide an overview of the items of correspondence which have been responded to by the secretariat on behalf of the Council, in terms of [standing orders](#) 7.1(b)-(c).

Discussion

2. The table below provides an overview of the number of items under each category, the subject matter, and whether those items were responded to within the timescales set out by FOISA, our [Complaints Handling Procedure](#), or as otherwise specified in the table below, for the period **25 May 2024 – 23 September 2024**.

Category	Items	Subject	Response within timescale?
Correspondence (timescale for a response is not later than 20 working days after receipt)	32	<ul style="list-style-type: none"> • General sentencing enquiry (5) • Guideline enquiry (0) • Misdirected enquiry – for another organisation or body (1) • Misdirected enquiry – other (4) • Misdirected enquiry – concerning specific case or sentence (10) • MSP engagement (1)/ MP (0) • Public engagement (6) • Research / work programme enquiry (3) • Stakeholder engagement (2) 	27 items were responded to within the timescale. One item did not require a response. Four items were still under consideration as at the date of writing.

Category	Items	Subject	Response within timescale?
Complaints (timescale for a response is per our Complaints Handling Procedure)	0		
FOISA requests (timescale for a response is per s10 of FOISA)	2	<p>1. A request for information on the correspondence, emails, meeting notes, media requests and responses etc relating to discussions about the Scottish Conservatives policy to reform the Scottish Sentencing Council.</p> <p>2. A request for information about contracts awarded to supported businesses in each of the last five financial years.</p>	Both items were responded to within the timescale.
DPA requests	0		

Recommendation

3. Members are invited to note the content of this report and provide comment.